

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 14251US02)**

In the Application of:	)	
	)	ELECTRONICALLY FILED
Bhatia	)	
	)	
Serial No. 10/606,478	)	
	)	
Filed: June 26, 2003	)	
	)	
For: THE BUFFER DESCRIPTOR	)	
DATA STRUCTURE FOR	)	
COMMUNICATION LINK	)	
BETWEEN DECODE AND DISPLAY	)	
PROCESSES IN MPEG DECODERS	)	
	)	
Examiner: RAO	)	
	)	
Group Art Unit: 2621		

**Pre-Appeal Brief**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This correspondence is in response to the Office Action of April 15, 2009.

## REMARKS

Claims 1-16, 18, and 27-29 are presently pending. Claims 1-16, 18, and 27 stand rejected. Claims 17 and 19-26 were cancelled without prejudice. Reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Independent claims 1 and 10 were rejected from Kono in view of Aharoni, and further in view of Washino.

Claim 1 recites, among other limitations “a plurality of image buffers for storing the decoded images prior to display on the single display, wherein single ones of the decoded images are displayed at a time on the single display; a plurality of parameter buffers, wherein each of the plurality of parameters buffers corresponds to a particular one of the plurality of image buffers and is for storing the decoded parameters associated with the image stored in the corresponding one of the plurality of image buffers, prior to display on the single display, wherein single ones of the decoded images are displayed at a time on the single display; and a display engine for receiving the decoded parameters from the parameter buffers and providing the decoded images for display on the single display using the decoded parameters stored in the parameter buffers, wherein single ones of the decoded images are displayed at a time on the single display.”

Assignee respectfully submits that one skilled in the art would not be motivated to “combine Kono system with the multi-client platform of aharaoni and provide a plurality of image buffers and associated parameters buffers of Kono with the various client service levels for Aharoni in order to *for greater distribution of decoded images of a heterogeneous network*” and then modify the combination of Kono and Aharoni with Washino “*in order to allow for multiple video outputs to a single display*”. The motivation to combine Kono and Aharoni is not merely different, but counter to the stated motivation for adding Washino.

Furthermore, Examiner asserts that “duplication of parts” ... “for a multiplied effect” ... “have long been held ... unpatentable”, citing St. Regis Paper Co. v. Bemis Co., Inc., 193 USPQ 8, 11 (7<sup>th</sup> Cir. 1977). The holding in St. Regis Paper is based on a requirement of “synergy” for non-obviousness, that has long been overruled, and furthermore, from a court whose decision is not even binding or controlling.

Claim 10 is rejected from Kono, in view of Aharoni, and further in view of Washino. In the response to the previous office action, Assignee amended claim 10 to recite, among other limitations, “said display engine separate from the parameter buffers”.

Examiner has indicated that Kono discloses “parameter buffers connected to the decoder and configured to store parameters associated with the images and decoded by the decoder (Kono: column 2, lines 55-62); and a display engine connected to the image buffers and the parameter buffers and configured to receive the decoded parameters from the parameter buffers and providing the decoded images for display using the decoded parameters stored in the parameter buffers (Kono: column 3, lines 20-30), as in claim 10.”

Kono, Col. 3, Lines 20+ recites, “Fig. 3 is a diagram that shows a structure of the registers within the display control section 15”. It appears as though Examiner reads the “display engine” onto “display control section 15”. Kono, Col. 2, Lines 55+, recites, “The display control section 15 incorporates registers for storing parameters 24 of each layer decoded by the image decoding section 12 and a bank address 25.” It appears as though Examiner reads the “parameter buffers” onto the “registers for storing parameters 24”.

Claim 10 recites, among other limitations, “said display engine separate from the parameter buffers” and respectfully submits that even if “display engine” reads on “display control section 15” and even if “parameter buffers” read onto the “registers for storing parameters 24”, Kono in view Aharoni does not teach “said display engine separate from the parameter buffers” because Kono teaches that “The display control section 15 incorporates registers for storing parameters 24”.

Although Examiner has added the Washino reference to the rejection, Assignee respectfully submits that Examiner’s discussion of the Washino reference does not even address the limitation “said display engine separate from the parameter buffers”. Accordingly, Assignee respectfully traverses the rejection and requests that Examiner withdraw the rejection to claims 10 and dependent claims 11-16, 18, and 27.

In maintaining the rejection, Examiner cites, *Nerwin v. Erlichman*, 168 USPQ 177, 179 (PTO Bd. Of Int. 1969) which was overruled. See, e.g., Ex parte Bozmowski. Additionally, Assignee flatly disagrees with Examiner’s characterization of Assignee’s remarks in response to the previous office action that “Applicants’ argument admits that the elements map to those that are recited in the claim under discussion, so the only alleged merit to the claims is this differing spatial configuration”.

Claim 28 recites, among other limitations, “a display engine for providing the first decompressed image from the first frame buffer for display based on the parameters stored in the

first parameter buffer, providing the second decompressed image from the second frame buffer for display based on the parameters stored in the second parameter buffer, providing the third decompressed image from the third frame buffer for display based on the parameters stored in the third parameter buffer, on a single display, one image at a time”.

Assignee respectfully submits that Kono, Aharoni, and Washino does not teach the foregoing. For example, in Kono, “The frame buffer 13 is divided into three areas which respectively store one picture.” Col. 2, Lines 31-32. Examiner has indicated that Kono teaches “a display engine for receiving the decoded parameter from the parameters buffers and providing the decoded images for display using the decoded parameters stored in the parameter buffers (Kono: column 3, lines 20-30) ... However, Kono fails to specifically disclose ... a corresponding plurality of parameters buffers”. Office Action at 3. In contrast, Kono teaches “The display control section 15 executes the display of the picture by comprehensively analyzing the display parameter of the picture layer stored in this register and the parameters of the second layer and the parameters of the GOP layer.” Col. 4, Lines 18-22.

While Examiner states that “one cannot show nonobviousness by attacking reference individually where the references are based on combination of references”, Assignee reiterates that since NONE of Kono, Aharoni, or Washino teach the emphasized limitation, and accordingly, the combination Kono, Aharoni, and Washino does not teach it as well.

Accordingly, Assignee respectfully requests allowance for claim 28 and dependent claim 29.

Conclusion

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are in a condition for allowance, and Examiner is kindly requested to pass this case to issuance.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'MDL', is written over a horizontal line.

Mirut Dalal  
Reg. No. 44,052  
ATTORNEY FOR ASSIGNEE

September 15, 2009

McAndrews, Held & Malloy, Ltd.  
500 West Madison – Suite 3400  
Chicago IL 60661

Voice (312) 775-8000  
FAX (312) 775-8100